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12 *Attorneys for Defendants Linda Rowe, M.D., Shirley
13 Keys, Jennifer Swiney, M.D., Bhawna Jain, M.D.,
14 Vickie Fowler, Auguste Reallon, RN., Joseph Kravitz,
15 and Maureen McLean*

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17 IN THE UNITED STATES DISTRICT COURT
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19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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21
22 JOHN DANIEL VILLA,

23 Plaintiff,

24 v.

25 LINDA ROWE; JENNIFER SWINEY;
26 BHAWNA JAIN; VICKI FOWLER;
27 AUGUSTE REALLON; SHIRLEY KEYS;
28 JOSEPH KRAVITZ; MAUREEN
McLEAN; RITA SNYDER,

Defendants.

C 07-1436 WHA (PR)

**MOTION FOR ADMINISTRATIVE
RELIEF RE DISCOVERY [Civil Local
Rules 7-11, 16-1]; [Proposed] ORDER**

Judge: The Honorable William Alsup
Action Filed: November 30, 2007

29
30 COME NOW defendants Linda Rowe, M.D., Shirley Keys, Jennifer Swiney, M.D.,
31 Bhawna Jain, M.D., Vickie Fowler, Auguste Reallon, RN., Joseph Kravitz, and Maureen McLean
32 and respectfully request that the Court enter an order staying discovery in this matter pending
33 resolution of the defendants' Motion for Summary Judgment that is now pending before the
34 Court.

1 The plaintiff, appearing in pro se, has propounded 35 pages of formal discovery to eight (8)
2 defendants, all of whom are health care professionals at Pelican Bay State Prison. To require
3 them to prepare responses to the extensive requests for admissions, interrogatories and document
4 demands would consume substantial professional time that would otherwise be devoted to
5 prisoner health care. Assisting the eight defendants in preparing discovery responses, all located
6 in the Crescent City area, would require the consumption of substantial public resources.
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8 Defendants are mindful that the February 3, 2009 Order of Service After Amendment (Doc.
9 No. 11) allows both sides to commence discovery. However, defendants believe that their
10 recently-filed Motion for Summary Judgment is likely to be dispositive of the case.
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12 For the reasons set forth above, defendants respectfully request that the Court stay
13 discovery in this matter until the Court rules on the pending summary judgment motion.
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Dated: July 16, 2009

Respectfully submitted,

15 EDMUND G. BROWN JR.
16 Attorney General of California
17

18 /s/ Tom Blake
19 TOM BLAKE
20 Deputy Attorney General
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22 *Attorneys for Defendants Linda Rowe,
23 M.D., Shirley Keys, Jennifer Swiney, M.D.,
24 Bhawna Jain, M.D., Vickie Fowler, Auguste
25 Reallon, RN., Joseph Kravitz, and Maureen
26 McLean*
27
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1 [Proposed] ORDER
2
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4 Discovery in this matter is stayed until the Court enters an order disposing of the
5 defendant's Motion for Summary Judgment, or until further order of the Court.
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7 Dated: July 16, 2007
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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **VILLA, John Daniel v. Linda Rowe, et al.**
No.: **C 07-1436 WHA (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 16, 2009, I served the attached MOTION FOR ADMINISTRATIVE RELIEF RE DISCOVERY [Civil Local Rules 7-11, 16-1]; [Proposed] ORDER by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

John Daniel Villa, Jr.
J 38001
Pelican Bay State Prison
PO Box 7500
Crescent City, CA 95532-7500
Plaintiff

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 16, 2009, at San Francisco, California.

Lorraine Smith
Declarant

Lorraine Smith
Signature